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AURORA LOAN SERVICES LLC

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

AURORA LOAN SERVICES LLC, a
California limited liability company,

Plaintiff,

v.

MARIA R. METCALF,

Defendant.

Case No. 3:08-cv-00872-WQH-RBB

**PLAINTIFF AURORA LOAN
SERVICES LLC'S REPLY BASED ON
NON OPPOSITION TO ITS MOTION
TO REMAND**

[28 U.S.C. § 1447(c)]

Date: August 11, 2008
Time: 11:00 a.m.
Courtroom: 4

**NO ORAL ARGUMENT WILL BE
HEARD [CivLR 7.1(d)1]**

Plaintiff Aurora Loan Services LLC ("Aurora") has received no opposition from Defendant Maria R. Metcalf to Aurora's Motion to Remand under 28 U.S.C. section 1447(c), which is scheduled to be heard by this Court on August 11, 2008.

United States District Court, Southern District of California Local Rule 7.1(e)(2) requires an opposing party to file and serve opposition papers, or a written statement that the party does not oppose the motion. Aurora's Motion to Remand is set to be heard on August 11, 2008, and therefore, Defendant's opposition was due to be filed and served no later than July 28, 2008.

Because Aurora's Motion to Remand is well founded and unopposed, Aurora respectfully requests this Court grant its motion and remand the above captioned case.

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1 Dated: July 29, 2008

PITE DUNCAN, LLP

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3 By: /s/ Thomas N. Abbott

4 THOMAS N. ABBOTT

5 Attorneys for Defendants

6 AURORA LOAN SERVICES LLC

7 E-mail: tabbott@piteduncan.com

Aurora Loan Services v. Metcalf
United States District Court Southern District of California
Case No(s). 3:08-cv-00872-WQH-RBB

DECLARATION OF SERVICE

I, the undersigned, declare: I am, and was at the time of service of the papers herein referred to, over the age of 18 years, and not a party to this action. My business address is 4375 Jutland Drive, Suite 200 San Diego, CA 92117.

On July 29, 2008, I electronically filed and served the following document(s):

**PLAINTIFF AURORA LOAN SERVICES LLC'S REPLY BASED
ON NON OPPOSITION TO ITS MOTION TO REMAND**

on the parties in this action addressed as follows:

Maria R. Metcalf
954 Surrey Dr.
Bonita, CA 91902

X **BY MAIL:** I placed a true copy in a sealed envelope addressed as indicated above. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

____ **BY CERTIFIED MAIL:** I placed a true copy in a sealed envelope addressed as indicated above via certified mail, return receipt requested.

____ **BY FACSIMILE:** I personally sent to the addressee's facsimile number a true copy of the above-described document(s). I verified transmission with a confirmation printed out by the facsimile machine used. Thereafter, I placed a true copy in a sealed envelope addressed and mailed as indicated above.

____ **BY FEDERAL EXPRESS:** I placed a true copy in a sealed Federal Express envelope addressed as indicated above. I am familiar with the firm's practice of collection and processing correspondence for Federal Express delivery and that the documents served are deposited with Federal Express this date for overnight delivery.

I declare under penalty of perjury under the laws of the State of that the foregoing is true and correct.

Executed this 29th day of July, 2008, at San Diego, California.


VALERIE BLAKE